

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SUPERB MOTORS INC., TEAM AUTO SALES LLC,  
ROBERT ANTHONY URRUTIA, 189 SUNRISE  
HWY AUTO LLC, NORTSHORE MOTOR  
LEASING, LLC, BRIAN CHABRIER, individually and  
derivatively as a member of NORTSHORE MOTOR  
LEASING, LLC, JOSHUA AARONSON, individually  
and derivatively as a member of 189 SUNRISE HWY  
AUTO, LLC, JORY BARON, 1581 HYLAN BLVD  
AUTO LLC, 1580 HYLAN BLVD AUTO LLC, 1591  
HYLAN BLVD AUTO LLC, 1632 HYLAN BLVD  
AUTO LLC, 1239 HYLAN BLVD AUTO LLC, 2519  
HYLAN BLVD AUTO LLC, 76 FISK STREET  
REALTY LLC, 446 ROUTE 23 AUTO LLC and  
ISLAND AUTO MANAGEMENT, LLC,

Plaintiffs,

-against-

ANTHONY DEO, SARAH DEO, HARRY  
THOMASSON, DWIGHT BLANKENSHIP, MARC  
MERCKLING, MICHAEL LAURIE, THOMAS  
JONES, CPA, CAR BUYERS NYC INC., GOLD  
COAST CARS OF SYOSSET LLC, GOLD COAST  
CARS OF SUNRISE LLC, GOLD COAST MOTORS  
AUTOMOTIVE GROUP LLC, GOLD COAST  
MOTORS OF LIC LLC, GOLD COAST MOTORS OF  
ROSLYN LLC, GOLD COAST MOTORS OF  
SMITHTOWN LLC, UEA PREMIER MOTORS  
CORP., DLA CAPITAL PARTNERS INC., JONES,  
LITTLE & CO., CPA'S LLP, FLUSHING BANK, and  
LIBERTAS FUNDING LLC,

Defendants.

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**Case No.: 2:23-cv-6188 (OEM) (JMW)**

**DECLARATION OF BRUCE  
NOVICKY SUPPORT OF MOTION  
TO DISQUALIFY DEFENDANT  
HARRY R. THOMASSON, ESQ. AS  
COUNSEL FOR DEO DEFENDANTS**

Bruce Novicky declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the  
following is true and correct:

1. I am the Chief Operating Officer of Superb Motors Inc. ("Superb") and Team Auto Sales LLC ("Team") and work with Robert Anthony Urrutia ("Urrutia") (Superb, Team, and Urrutia collectively hereinafter the "Superb Plaintiffs").

2. As such, I am familiar with all the facts and circumstances heretofore had herein based upon my personal knowledge and a review of documents I maintain at Superb and Team, in addition to information I have learned from employees, customers, vendors, and other third parties concerning the issues relevant to this case and this motion.

3. On August 3, 2023, at the request of Urrutia, I contacted the Nassau County Police Department to remove Defendant Anthony Deo ("Deo") and others from Superb because numerous banks complained vehicles were double-floored, which prompted a physical audit of all vehicles at Superb, whereupon I learned that approximately over one hundred (100) vehicles were missing or unaccounted for.

4. During the time the police were present in response to his complaint, I observed Thomasson coming and going from inside the dealership at Superb.

5. When the police were present at the dealership with me, Thomasson was yelling at them stating that he was the attorney for Superb, although I had no knowledge at that time that he served as counsel to Superb.

6. I also learned that Thomasson left with files and a lamp from the office he maintained inside Superb.

7. Prior to this date, I was unaware that Thomasson maintained an office at the dealership inside Superb, let alone that he served as counsel for Superb.

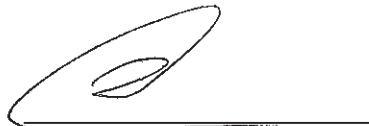
8. A review of records after the August 3, 2023 complaint to the police confirmed that Thomasson was paid by Superb for the legal services he provided to it. See copies of cancelled checks annexed hereto as **Exhibit "A."**

9. On August 9, 2023, Thomasson made inappropriate threats concerning the fact I called the police. See copy of Thomasson's letter annexed hereto as **Exhibit "B"** (stating that "further complaints to the police will result in the offer of resolution discussed herein to be immediately withdrawn and without further notice").

10. On September 14, 2023, this Court held oral argument on the Superb Plaintiffs' motion for injunctive relief. See copy of transcript of proceedings held before the Hon. Orelia E. Merchant, U.S.D.J. annexed hereto as **Exhibit "C."**

11. Based on the foregoing and the arguments made by Superb's actual counsel in the accompanying memorandum of law, I respectfully request that this Court grant the relief requested herein.

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 17, 2023.



Bruce Novicky